

**In the Drawings**

The drawings are objected to because Fig. 2b includes a protection layer 30 which is considered to be new matter.

Fig. 2b is amended to remove protective layer 30.

Please enter the enclosed substitute formal drawings in the above-referenced application in place of drawings on file.

Acknowledgment of receipt of the formal drawings and their acceptance into the file is requested.

### REMARKS

The drawings are objected to because Fig. 2b includes a protection layer 30 which is alleged to be new matter. Fig. 2b is amended to remove protective layer 30, and therefore, this objection is rendered moot.

The amendment filed 23 February 2004 is objected to under 34 USC §132 for allegedly introducing new matter into pages 4-6 of the specification because of the protective layer 30 discussed above. The specification is amended to delete any reference to protective layer 30, and therefore, this objection is rendered moot.

Claims 23-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to include the limitations of the base claim.

Claims 1-3, 29 and 30 stand rejected under 35 U.S.C. §102(b) as being anticipated by Marmo et al., 4,740,276. Claims 4, 22 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Marmo et al. in view of Sweatt et al., 6,118,577.

Claim 1 recites connecting a plurality of the individual optical elements to the basic body by a galvanoplastic joining technique. Marmo teaches to first fabricate a segmented aperture mirror (SAM) into a seamless continuous faceplate by electroforming (col. 2, lns. 50-63; col. 1), and then **attaching** the seamless-faceplate of the SAM *onto a master attachment plate 28 by studs 22*

(col. 6, Ins. 41-56; Figs. 7-9). That is, the only galvanoplastic joining technique (electroforming) taught by Marmo is to form the SAM into a seamless continuous faceplate, but does not teach to connect the SAM to a body by a galvanoplastic joining technique (electroforming). The only connecting of the SAM to a body is by studs 22, and not by galvanoplastic joining technique as positively recited in claim 1. Accordingly, it is inconceivable that Marmo teaches or suggests connecting a plurality of the individual optical elements to the basic body **by a galvanoplastic joining technique** as positively recited by claim 1. Since Marmo fails to teach or suggest a positively recited limitation of claim 1, claim 1 is allowable.

Moreover, claim 1 recites connecting a plurality of the **individual optical elements to the basic body**. However, as stated above, Marmo teaches to first form the segmented aperture mirror (SAM) into a seamless continuous faceplate (col. 2, Ins. 50-63; col. 1). That is, Marmo teaches the SAM is first formed as a single structure, and then connected to a master plate as a single structure, and not as a plurality of individual optical elements as positively recited in claim 1. Accordingly, it is inconceivable that Marmo teaches or suggests connecting a plurality of the individual optical elements to the basic body as positively recited by claim 1. Since Marmo fails to teach or suggest a positively recited limitation of claim 1, claim 1 is allowable.


Additionally, no fair or reasonable motivational rationale can be presented to modify the Marmo invention to teach connecting a plurality of the **individual optical elements** *to the basic body* as positively recited in claim 1. As stated previously, Marmo teaches to first form the segmented aperture mirror (SAM) into a seamless continuous faceplate, and this is stated because such solves the "problems and limitations of discrete segment SAMs" (col. 2, lns. 50-63; col. 1). That is, having the SAM in discrete segments causes multiple problems (col. 1) which can be solved by having the SAM as a single structure. Consequently, there would be no motivation to modify the Marmo invention to connect a plurality of the **individual optical elements** *to the basic body* as positively recited in claim 1 because this would destroy the entire purpose of the Marmo invention. Accordingly, since a proper obviousness rejection requires a proper motivational rationale for modifying a reference, and since no fair or reasonable motivational rationale can be presented to modify the Marmo invention to teach the limitations of claim 1, no proper obviousness rejection against claim 1 based on Marmo can be presented. Claim 1 is allowable, singularly or in any combination, over Marmo.

Claims 2-4 and 22-30 depend from independent claim 1, and therefore, are allowable for the reasons discussed above with respect to the independent claim, as well as for their own recited features which are not shown or taught by the art of record.

This application is now believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

Dated: 3-2-05

By:   
D. Brent Kenady  
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Annotated Marked-up Drawing

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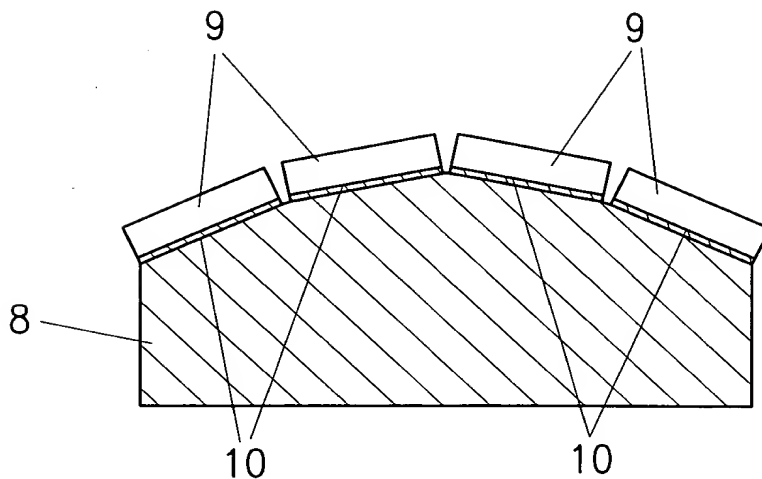


Fig. 2

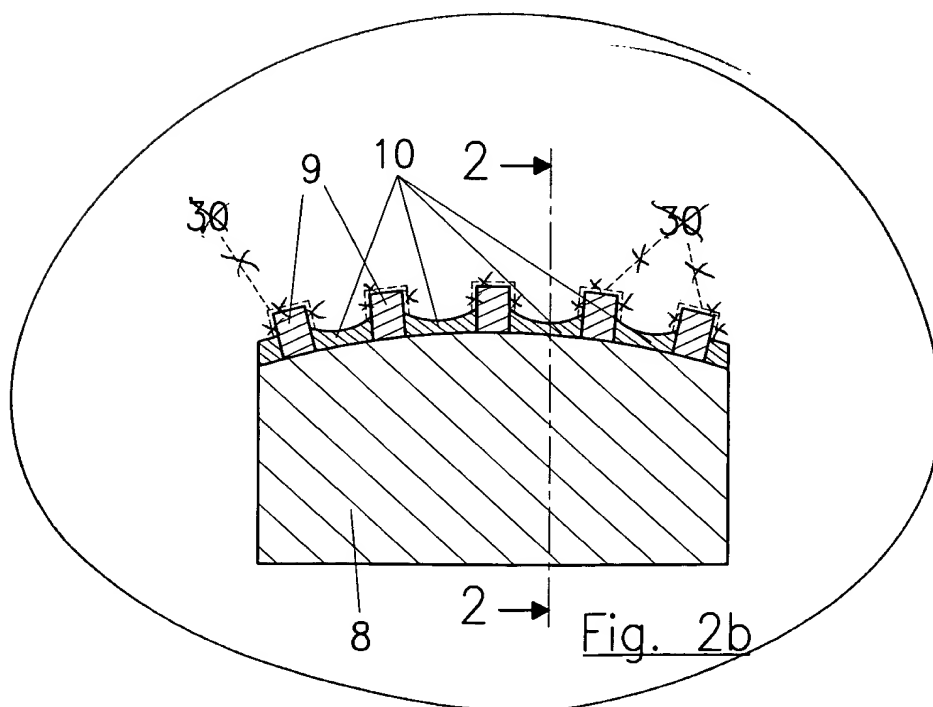


Fig. 2b